

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

GERALD W. CORDER,

Plaintiff,

v.

**ANTERO RESOURCES CORPORATION,
a Delaware corporation,**

Defendant.

**Civil Action No. 1:18-CV-30
Hon. Judge Irene M. Keeley**

c/w 1:18CV31, 1:18CV32,
1:18CV33, 1:18CV34, 1:18CV35,
1:18CV36, 1:18CV37, 1:18CV38,
1:18CV39, 1:18CV40 for purposes of
discovery and setting schedule

**ANTERO RESOURCES CORPORATION'S
MOTION FOR SUMMARY JUDGMENT**

Defendant Antero Resources Corporation (“Antero”) moves this Court for summary judgment in these consolidated actions brought by Plaintiffs Gerald W. Corder, Marlyn C. Sigmon, Garnet C. Cottrill, Randall N. Corder, Janet C. and Leroy Packard, Lorena Krafft, Cheryl Morris, Tracy Bridge, Angela Nicholson, Kevin McCall, and Brian McCall. Antero is entitled to summary judgment on Plaintiffs’ remaining claims for breach of contract regarding several leases in which Plaintiffs allege interests. Antero has not breached Plaintiffs’ leases as a matter of law because the various leases each authorize Antero to take deductions using the “work-back” method applied by the Fourth Circuit in *Young v. Equinor USA Onshore Properties, Inc.*, 982 F.3d 201, 208–09 (4th Cir. 2020). Moreover, there are marked differences between the costs of marketing and transportation at issue in *Tawney v. Columbia Natural Resources, LLC*, 219 W. Va. 266, 633 S.E.2d 22 (2006), and the costs to manufacture natural gas liquids (“NGLs”) and transport residue gas beyond the local market at issue. In addition, Plaintiffs have not been injured as a matter of law. Therefore, this Court should grant summary judgment for Antero on the remaining claims in Plaintiffs’ second amended complaints.

A memorandum in support of this motion is submitted herewith.

WHEREFORE, Antero respectfully requests this Court to grant this motion and enter summary judgment for Antero on the remaining claims in Plaintiffs' amended complaints.

/s/ **W. Henry Lawrence**

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CERTIFICATE OF SERVICE

Pursuant to the Court's Amended Order entered on March 1, 2021 (ECF No. 197), I hereby certify that on the 2nd day of March 2021, I electronically re-filed the foregoing "Antero Resources Corporation's Motion for Summary Judgment" with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following CM/ECF participants:

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/s/ W. Henry Lawrence
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